

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Marc Howard Spinoza

Serial No.: 09/506,361

Filed: February 18, 2000

For: A METHOD OF SECURING A LINE TO  
A PATIENT, FASTENERS, AND THEIR  
USE TO SECURE A LINE TO A  
PATIENT

Confirmation No.: 8242

Group Art Unit: 3763

Examiner: VU, Quynh-Nhu Hoang

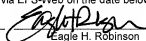
Atty. Dkt. No.: FIFW:019US

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF ELECTRONIC TRANSMISSION  
37 C.F.R. § 1.8

I hereby certify that this correspondence is being  
electronically filed with the United States Patent and  
Trademark Office via EFS-Web on the date below:

April 26, 2010  
Date

  
Eagle H. Robinson

**SUPPLEMENTAL STATEMENT OF SUBSTANCE OF INTERVIEW**

Applicant submits this paper in response to the Interview Summary mailed March 25, 2010, to memorialize the substance of a telephonic interview with Examiner Vu subsequent to the in-person interview on December 7, 2009.

It is believed that no fees under 37 C.F.R. §§ 1.16 to 1.21 are occasioned by the filing of this paper; however, should the Commissioner determine otherwise, the Commissioner is hereby authorized to deduct said fees from Fulbright & Jaworski Deposit Account No. 50-1212/FIFW:019US.

**Applicant's Supplemental Statement of Substance of Interview** begins on page 2;

An **Appendix** is attached following page 2.

**Applicant's Supplemental Statement of Substance of Interview**

Applicant's undersigned attorney, Eagle Robinson, thanks Examiner Vu for the courtesy of a telephone interview between Examiner Vu and Eagle Robinson on December 10 and 14, 2010, subsequent to the in-person interview on December 7, 2009.

In follow-up to the in-person interview on December 7, Applicant's undersigned attorney faxed a possible amendment to Examiner Vu on December 10, 2009 (see Appendix). Applicant's undersigned attorney then contacted Examiner Vu by telephone on December 10 regarding the faxed possible amendment. On December 14, Examiner Vu contacted the Examiner's undersigned attorney by telephone to state that the faxed possible amendments would place the claims in condition for allowance, and that the faxed possible amendment would be entered by Examiner's amendment, as reflected in the Examiner's Amendment mailed with the Notice of Allowability March 25, 2010.

**Conclusion**

Should additional information be required, the Examiner is invited to contact the undersigned.

Respectfully submitted,



Eagle H. Robinson  
Reg. No. 61,361

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Date: April 26, 2010

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## FACSIMILE TRANSMISSION

**DATE:** December 10, 2009

**ATTY DKT NO.:** FIFW:019US

RECIPIENT:	FAX NO.:	PHONE NO.:
Examiner Vu	571-273-3228	571-272-3228

**FROM:** Eagle Robinson

**FLOOR:** 2043

**PHONE:** (512) 536-3083

**FAX:** (512) 536-4598

**RE:** Possible Amendments for Patent Application No. 09/506,361

**NUMBER OF PAGES INCLUDING COVER PAGE:** 5      Originals Will Not Follow

### MESSAGE:

Examiner Vu –

Thanks again for your courtesy earlier this week. Attached is a listing of claims with some possible amendments that I hope will address any remaining concerns.

Best,

Eagle Robinson

### CAUTION - CONFIDENTIAL

THE INFORMATION CONTAINED IN THIS FACSIMILE IS CONFIDENTIAL AND MAY ALSO CONTAIN PRIVILEGED ATTORNEY-CLIENT INFORMATION OR WORK PRODUCT. THE INFORMATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHOM IT IS ADDRESSED. IF YOU ARE NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY USE, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THE FACSIMILE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS ABOVE VIA THE U.S. POSTAL SERVICE. THANK YOU.

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EAGLE ROBINSON AT (512) 536-3083 AS SOON AS POSSIBLE.**

**Listing of Claims with Possible Claim Amendments – Application No. 09/506,361**

1-80. (Canceled)

81. (Currently Amended) A medical or surgical fastener for securing a tube to a patient, said medical or surgical fastener comprising:

a sterile tubular sleeve of variable length having a first aperture through which a tube can pass at a first end of the sleeve and a second aperture through which a tube can pass at the second end of the sleeve, the sleeve configured such that when lengthened along a length of a tube between the first and second apertures within the sleeve, the sleeve will grip the tube to exert a compressive gripping force evenly distributed around the tube and along ~~the~~ [[a]] length of the tube in the sleeve and will further lengthen in response to movement of the tube to increase the compressive gripping force, and when shortened the compressive gripping force will be released to permit the tube to move relative to the sleeve, wherein the sterile tubular sleeve has a perforated or foraminous wall that includes a plurality of filaments helically woven to define a plurality of openings in the wall; and

attachment means configured to couple the sterile tubular sleeve to a patient such that if the sleeve grips a tube the sleeve and attachment means cooperate to secure the tube to the patient.

82. (Previously Presented) A fastener according to claim 81, wherein the attachment means comprises one or more loops.

83. (Previously Presented) A fastener according to claim 82, wherein the or each loop is formed by doubling over the sleeve.

84. (Previously Presented) A fastener according to claim 81, wherein the attachment means comprises a harness, sling or other means for embracing a part of the patient.

85. (Previously Presented) A fastener according to claim 81, wherein the attachment means comprises a pad or flange for lying against part of the patient's body.

86. (Previously Presented) A fastener according to claim 85, wherein the pad or flange can be adhered or sutured to the patient's body.

87. (Previously Presented) A fastener according to claim 81, wherein an opening is capable of permitting the tube to pass through the wall of the sleeve.

88. (Previously Presented) A fastener according to claim 81, wherein the sleeve wall is a mesh, grid, net or web.

89. (Cancelled)

90. (Previously Presented) A fastener according to claim 81, wherein the attachment means is integral to the sleeve.

91. (Previously Presented) A fastener according to claim 81, wherein said tube secured to a patient is a catheter.

92. (Currently Amended) A fastener according to claim 81 wherein the tubular sleeve has a [[ring]] collar at at least one end of the sleeve, the [[ring]] collar surrounding the first aperture or the second aperture and the [[ring]] collar being operable to shorten the length of the sleeve.

93. (Previously Presented) A fastener according to claim 81 wherein the tubular sleeve is of filamentary construction and has a collar at at least one end of the sleeve, the collar surrounding the first aperture or the second aperture and the collar holding together the free ends of the filaments making up the sleeve.

94. (Previously Presented) A fastener according to claim 81 in combination with a tube, said tube being secured to a patient by said fastener, wherein the tube has a lumen and can transport fluid to or from a patient.

95. (Currently Amended) A medical or surgical fastener for securing a tube to a patient, said medical or surgical fastener comprising:

a sterile tubular sleeve of variable length having a first aperture through which a tube can pass at a first end of the sleeve and a second aperture through which a tube can pass at the second end of the sleeve, the sleeve configured such that when lengthened along a length of a tube between the first and second apertures within the sleeve, the sleeve will grip the tube to exert a compressive gripping force evenly distributed around the tube and along [[a]] the length of the tube in the sleeve and will further lengthen in response to movement of the tube to increase the compressive gripping force, and when shortened the compressive gripping force will be released to permit the tube to move relative to the sleeve, wherein the sleeve has a perforated or foraminous wall that includes a plurality of filaments helically woven to define a plurality of openings; and

attachment means coupled to one of the first end and the second end of the sterile tubular sleeve and configured to couple the sleeve to a patient such that if the sleeve grips a tube the sleeve and attachment means cooperate to secure the tube to the patient; and

a [[ring]] collar coupled to the other of the first end and the second end of the sleeve and configured such that if the [[ring]] collar is moved toward the attachment means the sleeve will shorten, and if the [[ring]] collar is moved away from the attachment means the sleeve will lengthen, the [[ring]] collar surrounding the aperture in the end of the sleeve to which the [[ring]] collar is coupled.

96. (Previously Presented) A fastener according to claim 95, wherein the attachment means comprises a pad or flange for lying against part of the patient's body.

97. (Previously Presented) A fastener according to claim 95, wherein the sleeve wall is a mesh, grid, net or web.

98. (Canceled)

99. (Previously Presented) A fastener according to claim 95, wherein the attachment means is integral to the sleeve.

100. (Previously Presented) A fastener according to claim 95 wherein the tubular sleeve has a ~~ring at each end of the sleeve, the rings surrounding the first aperture and the second aperture respectively~~ second collar coupled to, and surrounding the aperture in, the end of the sleeve to which the attachment means is coupled.

101. (Currently Amended) A medical or surgical sterile fastener for securing a tube to a patient, said medical or surgical fastener comprising:

a sterile tubular sleeve of variable length having a first aperture through which a tube can pass at a first end of the sleeve and a second aperture through which a tube can pass at the second end of the sleeve, the sleeve configured such that when lengthened along a length of a tube between the first and second apertures within the sleeve, the sleeve will grip the tube to exert a compressive gripping force evenly distributed around the tube and along a length of the tube in the sleeve and will further lengthen in response to movement of the tube to increase the compressive gripping force, and when shortened the compressive gripping force will be released to permit the tube to move relative to the sleeve, wherein the sleeve has a perforated or foraminous wall that includes a plurality of filaments helically woven to define a plurality of openings; and

attachment means coupled to one of the first end and the second end of the sterile tubular sleeve and configured to couple the sleeve to a patient such that if the sleeve grips a tube the sleeve and attachment means cooperate to secure the tube to the patient; and

a [[ring]] collar coupled to the other of the first end and the second end of the sleeve such that the [[ring]] collar holds open the aperture in the end to which the [[ring]] collar is coupled so the [[ring]] collar is operable to shorten the sleeve by moving the [[ring]] collar towards the attachment means.